

Now in the case are independent claims 14, 15, 20, 21, 25, 50, 51, 52, 53, 57, 59, 60, 61, 65 and 67 and dependent claims 22, 58, 66 and 68-79.

Claim 66

Claim 66 stands neither rejected nor objected to in the outstanding Office Action. Because claim 66 depends from claim 65, which recites allowable subject matter and the objection to claim 65 is addressed, Applicants submit that claim 66 also recites allowable subject matter.

Notice of Appeal

A Notice of Appeal (PTO/SB/31) accompanies this Response and Amendment Under Rule 116. Check No. 112156 for \$250 is included herewith in payment of the Small Entity fee of \$250 for the filing of the Notice of Appeal. Authorization is hereby granted to charge any underpayment, or credit an overpayment, as appropriate, to Nufern Deposit Order Account No. 50-2343.

Request for Three Month Extension of Time

By way of the accompanying Petition for Extension of Time (PTO/SB/22) Applicants hereby request a Three Month Extension of Time for response to the outstanding Office Action mailed September 19, 2005, thereby extending the time for response to March 20, 2006, as March 19, 2006 falls on a Sunday. Check No. 112157 for \$510 is included herewith in payment of the Small Entity fee of \$510 for the requested Three Month Extension of Time. Authorization is hereby granted to charge any underpayment, or credit any overpayment, as appropriate, to Nufern Deposit Order Account Number 50-2343.

Fees for Additional Claims

By Applicants' calculation claims fees of \$800 for a Small Entity are due. Check No. 112158 for \$800 is included herewith in payment of the claims fees. Authorization is hereby granted to charge an underpayment, or credit any overpayment, as appropriate, to Nufern Deposit Order Account No. 50-2343.

PTO Form 892

Applicants note with appreciation that the Examiner includes a PTO form 892 citing US 6,779,364, US 6,687,445 and US 2004/0069019. The foregoing references are cited in the PTO form 892 responsive to the request in the Response filed June 28, 2005 by Applicants regarding the Information Disclosure Statement filed 10/15/03.

Interview

Although the Examiner and Applicants' attorney completed a PTOL-413 Interview Summary form at the conclusion of the interview held with the Examiner on April 28, 2005, and the Examiner indicated not only at the interview but again via telephone at the time of filing the next Response on June 28, 2005 that no further summary was required by the Applicants attorney, submitted herewith is a summary of the interview to ensure formal compliance with MPEP § 713.04:

“Present at the interview were Examiner Kang and Peter Rainville and Helen Samson. Claims 1 and 46 were discussed. Certain documents, namely, Mazzaresse et al. (U.S. Patent No. 6,483,973), Fermann (US 2002/0172486 A1), and Morse (U.S. Patent No. 6,115,526) were discussed. Attorney Rainville pointed out that the Mazzaresse et al. reference does not teach a birefringent fiber and that the Fermann reference teaches an optical fiber with three stress rods and reducing absorption. The Examiner will further consider these arguments presented during the interview when the formal amendments and arguments are submitted. Upon receipt of the formal amendments an update search will be done by the Examiner. No agreement was reached.”

The foregoing is considered to be a complete summary of the substance of the interview.

CONCLUSION

Entry of this Response and Amendment Under Rule 116 is respectfully requested, as it places the case in condition for allowance. Reconsideration and withdrawal of the rejections and objections raised in the outstanding Office Action are respectfully requested, as are early allowance and passage to issue. No fees other than the fees associated with the Request for a Three Month Extension of Time, Notice of Appeal, and the Additional Claim Fees are considered to be due in conjunction with the submission of this Response and Amendment. However, if it is determined that an additional fee is due or that Applicants are underpaying or overpaying a fee, further authorization is hereby granted to debit or credit, as appropriate, Nufern Deposit Order Account 50-2343.

Please do not hesitate to contact the undersigned if any issues are deemed to remain unresolved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter J. Rainville', with a stylized flourish at the end.

Peter J. Rainville, Reg. No. 41,263
Nufern
7 Airport Park Road
East Granby, CT 06026
860-408-5022
prainville@nufern.com

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